

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

TOMMY J. HOLBERT,)
)
)
PLAINTIFF,)
)
)
V.) NO. 3:11-CV-491
) (PHILLIPS/GUYTON)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
)
Defendant.)

ORDER

This Social Security appeal is before the Court on the Report and Recommendation filed by United States Magistrate Judge H. Bruce Guyton. [Doc. 16]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of this matter, the Court is in complete agreement with Magistrate Judge Guyton that the Plaintiff's Motion for Judgment on the Pleadings [Doc. 12] be **DENIED** and Commissioner's Motion for Summary Judgment [Doc. 14] be **GRANTED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips

ENTERED AS A JUDGMENT
s/ *Debra C. Poplin*
CLERK OF COURT

United States District Judge